

DAILY DIGEST Vol. 14, No. 9

January 13, 1995

The following items were adopted at the January 12
Commission meeting and released later that day.

NEWS RELEASES

FCC PROPOSES STREAMLINING ANTENNA
STRUCTURE CLEARANCE PROCEDURE; REVISING
PART 17 OF RULES CONCERNING CONSTRUCTION,
MARKING, AND LIGHTING OF ANTENNA
STRUCTURES - WT DOCKET NO. 95-59 (Report No.
DC95-11, Action in Docket Case)

Action by the Commission January 12 by NPRM
(FCC 95-16).

News Media contact: Patricia A. Chew at (202)
418-0500; Wireless Telecommunications Bureau contact:
Roger Noel at (202) 418-0680; Mass Media Bureau contact:
Robert Greenberg at (202) 418-2720. [Internet file name:
nrmm5006.txt]

COMMISSION ALLOCATES SPECTRUM FOR
SATELLITE DIGITAL AUDIO RADIO SERVICES
(DARS) - GEN DOCKET NO. 90-357 (Report No. DC95-
10, Action in Docket)

The FCC has allocated spectrum in the 2310-2360
MHz band for satellite digital audio radio services (DARS).

Action by the Commission January 12 by R&O
(FCC 95-17).

News Media contact: Patricia A. Chew at (202)
418-0500; Office of Engineering and Technology contact:
Lynn L. Remly at (202) 653-8108 or Ray LaForge at (202)
653-8117. [Internet file name: nret5001.txt]

COMMISSION ENUMERATES FEDERAL PRINCIPLES
APPLICABLE TO TELEPHONE NUMBERING PLAN
(Report No. DC 95-15, Common Carrier Action)

In a Declaratory Ruling, the Commission
articulated a number of overarching principles to be
considered when administering the North American Number
Plan and applied these principles to an area code relief plan
proposed by Ameritech for the Chicago area.

Action by the Commission January 12 by
Declaratory Ruling and Order (FCC 95-19).

News Media contact: Susan Lewis Sallet at (202)
418-0500; Common Carrier Bureau contact: Larry Povich
at (202) 418-0953. [Internet file name: nrcc5010.txt]

COMMISSION VOTES TO STREAMLINE

REGULATION OF AT&T COMMERCIAL SERVICES -
CC DOCKET 93-197 (Report No. DC 95-12, Action in
Docket Case)

The Commission voted to move AT&T's commercial long distance services from price cap to streamlined regulation, a decision that will foster more vigorous competition for customers of these services. The Commission based its action on its finding that there are alternative providers of these services, and that facilities-based competitors of AT&T have ample capacity to service additional customers and have shown a willingness to do so. The Commission further found that customers are aware and make use of competing providers of commercial long distance services, as evidenced by the fluctuation in AT&T's market share. The Commission made clear that AT&T may not restrict resale and shared use of these services.

Action by the Commission January 12 by R&O
(FCC 95-18).

News Media contact: Susan Lewis Sallet at (202) 418-0500; Common Carrier Bureau contacts: Suzan Friedman at (202) 418-1530 and Geri Matise at (202) 418-1520. [Internet file name: nrcc5008.txt]

COMMISSION RECONSIDERS FIRST REPORT AND
ORDER REGARDING CABLE SYSTEM ANTI-
TRAFFICKING RULES AND SATELLITE MASTER
ANTENNA TV CROSS-OWNERSHIP LIMITATIONS -
MM DOCKET 92-264 (Report No. DC 95-13, Action in
Docket Case)

The Commission acted on petitions for reconsideration of the First Report and Order in MM Docket 92-264, in which it adopted rules implementing the anti-trafficking provisions of Section 13, and the multichannel multipoint distribution service (MMDS) and satellite master antenna television (SMATV) cross-ownership provisions of Section 11 of the Cable Television Consumer Protection and Competition Act of 1992.

Action by the Commission January 12 by MO&O
on Reconsideration of the First R&O (FCC 95-21).

News Media contact: Morgan Broman at (202) 416-0852; Cable Services Bureau contacts: Rebecca L. Dorch, Jeffrey S. Lanning at (202) 416-0800. [Internet file name: nrcc5003.txt]

COMMISSION ADOPTS FOURTH FURTHER NOTICE
IN VIDEO DIALTONE RULEMAKING PROCEEDING
TO EXAMINE TELEPHONE COMPANIES PROVISION
OF VIDEO PROGRAMMING - CC DOCKET 87-266
(Report No. DC 95-14, Action in Docket Case)

The Commission commenced a proceeding to consider adoption of rules governing telephone companies' provision of video programming directly to their subscribers. The Commission took this action in response to recent court decisions holding that the cross-ownership ban established by the Cable Communications Policy Act of 1984 violates the First Amendment rights of telephone companies because the ban is not "narrowly tailored to serve

a significant government interest." This provision prohibits telephone companies from providing video programming directly to subscribers in their telephone service areas.

Action by the Commission January 12 by Fourth Further NPRM (FCC 95-20).

News Media contact: Susan Lewis Sallet at (202) 418-0500; Common Carrier Bureau contact: James D. Schlichting and John S. Morabito at (202) 418-1580; Cable Services Bureau contact: Larry Walke at (202) 416-0800.
[Internet file name: nrcc5009.txt]

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The following items are dated for and released Friday, January 13.

NEWS RELEASES

COMMISSION UPHOLDS DISMISSAL OF PHILLIP GOLDBERG'S COMPLAINT AGAINST WMAQ(AM), CHICAGO, IL (Report No. MM95-4, Mass Media Action)

The FCC has denied Phillip Goldberg's application for review of the Mass Media Bureau's dismissal of his complaint against WMAQ(AM), Chicago, IL. Goldberg had alleged that Group W, licensee of WMAQ(AM), had conducted its 1991 "Grand Slam Sweepstakes" in a misleading and deceptive manner, in violation of the Commission's contest rule.

Action by the Commission January 6 by MO&O (FCC 95-10).

News Media contact: Patricia A. Chew at (202) 418-0500; Mass Media Bureau contact: Marcia Diamond at (202) 632-3922. [Internet file name: nrmm5008.txt]

HOUSTON ACADEMY GRANTED CP AND LICENSE FOR ITFS CHANNELS A1-A4 AT DOTHAN, AL, WITH CONDITIONS (Report No. MM95-5, Mass Media Action)

The Commission has granted the application of Houston Academy for a construction permit and license in the Instructional Television Fixed Service (ITFS) on Channels A1-A4, at Dothan, AL; and denied the competing applications of Barbour County Board of Education and Geneva County Board of Education for ITFS channels at Ariton and Elba, AL, respectively.

Action by the Commission January 3 by MO&O (FCC 95-6).

News Media contact: Patricia A. Chew at (202) 418-0500; Mass Media Bureau contact: Marlene Dortch at (202) 418-1630. [Internet file name: nrmm5007.txt]

FCC RELEASES REPORT ON LONG DISTANCE MARKET - Contact: Katie Rangos or Jim Lande at (202)

418-0940 [Internet file name: nrcc5001.txt]

FCC CALENDAR OF EVENTS [Internet file name:
evts5002.txt]

FCC FILINGS [Internet file name: nrnc5007.txt]

PUBLIC NOTICES

THE FEDERAL COMMUNICATIONS COMMISSION
(FCC) FORMS DISTRIBUTION CENTER ANNOUNCES
A TOLL-FREE TELEPHONE NUMBER TO ORDER FCC
FORMS - 1-800-418-FORM (1-800-3676)

PUBLIC INFORMATION COLLECTION
REQUIREMENTS SUBMITTED TO OFFICE OF
MANAGEMENT AND BUDGET FOR REVIEW -
Contact: Dorothy Conway at (202) 418-0217

PUBLIC INFORMATION COLLECTION
REQUIREMENTS BEING REVIEWED BY THE
FEDERAL COMMUNICATIONS COMMISSION FOR
EXTENSION UNDER DELEGATED AUTHORITY 5CFR
1320.9 - Contact: Dorothy Conway at (202) 418-0217

THE TENTH MEETING OF THE FEDERAL
COMMUNICATIONS COMMISSION'S NETWORK
RELIABILITY COUNCIL - Contact: Jim Keegan at (202)
634-1867

EX PARTE PRESENTATIONS AND POST-REPLY
COMMENT PERIOD FILINGS IN NON-RESTRICTED
PROCEEDINGS - Contact: Barbara Lowe at (202) 418-
0310

Report No. 246 - MASS MEDIA BUREAU CALL SIGNS

Report No. 16088 - BROADCAST APPLICATIONS

Report No. 22065 - BROADCAST ACTIONS

Report No. CL-95-36 - WIRELESS
TELECOMMUNICATIONS BUREAU COMMERCIAL
RADIO SERVICE INFORMATION CELLULAR
TRANSFER/ASSIGNMENT APPLICATIONS ACCEPTED
FOR FILING

Report No. CL-95-37 - WIRELESS
TELECOMMUNICATIONS BUREAU COMMERCIAL
RADIO DIVISION ANNOUNCEMENT OF
ACCEPTANCE OF SOLE APPLICATIONS AND
TENTATIVE SELECTEES FOR UNSERVED AREAS

Report No. I-7093 - OVERSEAS SECTION 214
APPLICATIONS ACCEPTED FOR FILING

Report No. IS-0054 - INTERNATIONAL FIXED
SATELLITE SERVICE: INTELSAT

Report No. 1778 - WIRELESS TELECOMMUNICATIONS
BUREAU - January 2 through January 6

Report No. 2051 - PETITION FOR RECONSIDERATION
OF ACTION IN RULEMAKING PROCEEDINGS

TEXTS

LONGMONT, CO. Denied a motion filed joint by Longmont Broadcasting Corp. and Amador S. Bustos that the Commission order the Administrative Law Judge presiding in the Longmont, CO, comparative hearing to proceed at once to prepare and issue a partial initial decision resolving all basic qualifications issues against Western Cities Broadcasting, Inc. (MM Docket No. 90-424 by MO&O [FCC 95-12] adopted January 6 by the Commission)

ROSCOE AND SNYDER, TX. Granted the application of Hermleigh Independent School District for a construction permit and license in the Instructional Television Fixed Service (ITFS) on Channels D1-D4 at Snyder, TX, and denied the competing application of Sweetwater Independent School District for ITFS facilities at Roscoe, TX. (By MO&O [FCC 94-302] adopted November 28 by the Commission)

ERRATUM to NPRM [DA 94-1374] released December 5 in the matter of amending the Television Table of Allotments at Albion, NE. (MM Docket No. 94-143 [DA 94-27])

APOLLO CABLEVISION, INC. Denied Apollo's request for special relief requesting a temporary waiver of the must-carry rules. (By MO&O [DA 95-16] adopted January 5 by the Deputy Chief, Cable Services Bureau)

FOUCE AMUSEMENT ENTERPRISES, INC. Granted Fouce's complaint and ordered Apollo Enterprises, Inc. to carry the signal of KRCA on its cable television system serving Cerritos, CA. (By MO&O [DA 95-15] adopted December 31 by the Deputy Chief, Cable Services Bureau)

BELLSOUTH TELECOMMUNICATIONS, INC. Granted BellSouth's petition for waiver of the rules to reallocate a portion of its investment in three voice messaging systems. (By MO&O [DA 95-20] adopted January 9 by the Chief, Accounting and Audits Division, Common Carrier Bureau)

ADDENDA: The following items released January 12 were not listed on Digest 8:

NEWS RELEASE

COMMISSION APPROVES BELL ATLANTIC
APPLICATION FOR VIDEO DIALTONE MARKET
TRIAL IN ARLINGTON, VIRGINIA; AFFILIATED
PROGRAMMING PERMITTED WITH SAFEGUARDS
(Report No. CC95-6, Common Carrier Action)
Action by the Commission January 11 by 0&A
(FCC 95-15).

News Media contact: Susan Lewis Sallet at (202)
418-0500; Common Carrier Bureau contacts: John S.
Morabito and James D. Schlichting at (202) 418-1580.

TEXTS

STAR CABLE ASSOCIATES. Rescinded certification and
granted petition for revocation filed by Star Cable
challenging the certification of Stokes County to regulate
basic cable rates. (By MO&O [DA 95-42] adopted January
12 by the Chief, Cable Services Bureau)

C-TEC CABLE SYSTEMS OF MICHIGAN, INC. Denied
C-TEC's petition for reconsideration challenging the
certification of Plainfield Charter Township, MI, to regulate
basic cable rates. (By MO&O [DA 95-43] adopted January
12 by the Chief, Cable Services Bureau)

INSIGHT COMMUNICATIONS COMPANY OF NEW
YORK, INC. Rescinded certification and granted petition
for reconsideration filed by Insight Communications
challenging the certification of Shelby County, IN, to
regulate its basic cable service. (By MO&O [DA 95-44]
adopted January 12 by the Chief, Cable Services Bureau)

TCK TKR OF HOUSTON, INC. Rescinded certification
and granted TCI's application for review when treated as a
petition for reconsideration. (By Order on Reconsideration
[DA 95-41] adopted January 12 by the Chief, Cable
Services Bureau)

AT&T CORP. See fourth item under "News Releases,"
January 12 Commission meeting.

BELLSOUTH TELECOMMUNICATIONS, INC. ET AL.

Suspended for one day and initiated an investigation of the permanent virtual collocation tariffs filed on September 1, 1994, by the Tier 1 LECs subject to expanded interconnection requirements. (CC Docket No. 94-97 by Order [DA 95-94] adopted January 12 by the Deputy Chief, Tariff Division, Common Carrier Bureau)

FEES FOR FISCAL YEAR 1995. Initiated proceeding to review the schedule of fees. Comments are due February 13, replies February 28. (MD Docket No. 95-3 by NPRM [FCC 95-14] adopted January 10 by the Commission)

